

REMARKS/ARGUMENTS

Claims 1-14 are pending in this application. By this Amendment, Applicants amend Claims 1, 3, 5, 7, 9, 11 and 13.

Claims 1-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Amano et al. (U.S. 5,386,335) in view of Kazuyoshi (JP 01-102884). Applicants respectfully traverse the rejection of Claim 1-14.

Claim 1 has been amended to recite:

A surge absorber comprising:

an insulator block including a first internal electrode film, a second internal electrode film, and a discharge hole;

ground external electrode layers provided on both opposed side surfaces of the insulator block so as to be connected to both ends of the first internal electrode film; and

signal external electrode layers provided on both opposed end surfaces of the insulator block so as to be connected to both ends of the second internal electrode film; wherein

the first internal electrode film extends in a longitudinal direction that is substantially perpendicular to a longitudinal direction in which the second internal electrode film extends such that portions of the first and second internal electrode films overlap; and

the discharge hole is disposed between the overlapping portions of the first and second internal electrode films. (emphasis added)

Claim 9 has been amended to recite:

A surge absorber comprising:

a laminated compact of a first insulator sheet having a second internal electrode film and first internal electrode films on both sides of the second internal electrode film, and a second insulator sheet having a discharge hole located in proximity to the first internal electrode films and the second internal electrode film;

ground external electrode layers provided on both opposed side surfaces of the laminated compact so as to be connected with one end of each of the first internal electrode films; and

signal external electrode layers provided on both opposed end surfaces of the laminated compact so as to be connected with both ends of the second internal electrode film; wherein
each of the first internal electrode films extends in a longitudinal direction that is perpendicular to a longitudinal direction in which the second internal electrode film extends such that the second internal electrode film is disposed between the first internal electrode films; and
the discharge hole is disposed so as to overlap a portion of the first and second internal electrode films. (emphasis added)

Applicants' Claim 3, 5, 7, 11 and 13 recite features that are similar to the features recited in Applicants' Claim 1, including the above-emphasized features.

With the unique combination and arrangement of features recited in Applicants' Claims 1, 3, 5, 7, 9, 11 and 13, Applicants have been able to provide a surge absorber and surge absorber array that requires a small space for mounting on a printed board so as to reduce the size of devices which include the surge absorber and surge absorber array (see, for example, the third full paragraph on page 2 of the originally filed specification).

In Section No. 2 on pages 2 and 3 of the outstanding Office Action, the Examiner alleged that Amano et al. teaches all of the features recited in Applicants' Claims 1, 3, 5, 7, 9, 11 and 13, except for a discharge hole located in proximity of the first and second internal electrode films. The Examiner further alleged that Kazuyoshi teaches "a discharge hole (Fig. 3, 26) located in the proximity of two internal opposing electrodes (Fig. 3, 22 and 28)." Thus, the Examiner concluded that it would have been obvious "to provide a discharge hole located in the proximity of two internal electrodes taught by Kazuyoshi between the first and second internal electrode films of Amano et al. to control the discharge voltage of the surge absorber due to the pressure of the inert gas between the two electrodes." Applicants respectfully disagree.

Applicants' Claim 1 has been amended to recite the features of "ground external electrode layers provided on both opposed side surfaces of the insulator block so as to

be connected to both ends of the first internal electrode film" and "the first internal electrode film extends in a longitudinal direction that is substantially perpendicular to a longitudinal direction in which the second internal electrode film extends such that portions of the first and second internal electrode films overlap." Applicants' Claims 3, 5, 7, 11 and 13 have been similarly amended. Applicants' Claim 9 has been amended to recite the features of "a laminated compact of a first insulator sheet having a second internal electrode film and first internal electrode films on both sides of the second internal electrode film," "ground external electrode layers provided on both opposed side surfaces of the laminated compact so as to be connected with one end of each of the first internal electrode films" and "each of the first internal electrode films extends in a longitudinal direction that is perpendicular to a longitudinal direction in which the second internal electrode film extends such that the second internal electrode film is disposed between the first internal electrode films."

Support for the amendments to Claims 1, 3, 5, 7, 11 and 13 is found, for example, in Figs. 1 and 7 of the originally filed application, and support for the amendments to Claim 9 is found, for example, in Fig. 13 of the originally filed application.

In contrast to Applicants' Claims 1, 3, 5, 7, 11 and 13, Amano et al. fails to teach or suggest any surge absorber which includes first and second internal electrode films having both ends of each of the first and second internal electrode films connected to external electrodes. At best, Amano et al. teaches that only one of the first and second internal electrode films 71 extends entirely across the insulator block 76, and that the other of the first and second internal electrode films 73 extends only partially across the insulator block 76 such that only one end of the internal electrode film 73 is connected to an external electrode.

Applicants note that element 77 of Amano et al., which extends entirely across the insulator block 76 is specifically disclosed as being a resistance electrode which is disposed on an outer surface of the insulator block, as seen in Figs. 17 and 18. Thus,

element 77 of Amano et al. clearly cannot be fairly construed as either of a first or a second internal electrode film, as recited in Applicants' Claims 1, 5 and 11, and similarly in Applicants Claims 3, 7 and 13.

Thus, Amano et al. certainly fails to teach or suggest the features of "ground external electrode layers provided on both opposed side surfaces of the insulator block so as to be connected to both ends of the first internal electrode film" and "the first internal electrode film extends in a longitudinal direction that is substantially perpendicular to a longitudinal direction in which the second internal electrode film extends such that portions of the first and second internal electrode films overlap" as recited in Applicants' Claim 1, and similarly in Applicants' Claims 3, 5, 7, 11 and 13.

In addition, in contrast to Applicants' Claim 9, Amano et al. fails to teach or suggest any insulator sheet which includes a second internal electrode and first internal electrodes disposed thereon, and certainly fails to teach or suggest any insulator sheet which includes first internal electrode films disposed on both sides of a second internal electrode film as recited in Applicants' Claim 9. Thus, Amano et al. clearly fails to teach or suggest the features of "a laminated compact of a first insulator sheet having a second internal electrode film and first internal electrode films on both sides of the second internal electrode film," "ground external electrode layers provided on both opposed side surfaces of the laminated compact so as to be connected with one end of each of the first internal electrode films" and "each of the first internal electrode films extends in a longitudinal direction that is perpendicular to a longitudinal direction in which the second internal electrode film extends such that the second internal electrode film is disposed between the first internal electrode films" as recited in Applicants' Claim 9.

Kazuyoshi fails to teach or suggest any internal electrode films which extend in perpendicular directions. Thus, Kazuyoshi certainly fails to teach or suggest the features of "the first internal electrode film extends in a longitudinal direction that is perpendicular to a longitudinal direction in which the second internal electrode film

extends such that portions of the first and second internal electrode films overlap" and "the first internal electrode film extends entirely across the insulator block so as to be connected to both of the ground external electrode layers" as recited in Applicants' Claim 1, and similarly in Applicants' Claims 3, 5, 7, 11 and 13.

In addition, Kazuyoshi fails to teach or suggest any insulator sheet which includes both first and second electrode films disposed thereon. Thus, Kazuyoshi clearly fails to teach or suggest the features of "a laminated compact of a first insulator sheet having a second internal electrode film and first internal electrode films on both sides of the second internal electrode film," "signal external electrode layers provided on both opposed end surfaces of the laminated compact so as to be connected with both ends of the second internal electrode film" and "each of the first internal electrode films extends in a longitudinal direction that is perpendicular to a longitudinal direction in which the second internal electrode film extends such that the second internal electrode film is disposed between the first internal electrode films" as recited in Applicants' Claim 9.

Even assuming *arguendo* that Amano et al. taught or suggested the arrangement of first and second internal electrode films as recited in Applicants' Claims 1, 3, 5, 7, 9, 11 and 13, Applicants respectfully submit that there would have been no motivation to combine the teachings of Kazuyoshi with Amano et al.

The Examiner alleged that the motivation to combine the teachings of Kazuyoshi with Amano et al. would have been "to control the discharge voltage of the surge absorber due to the pressure of the inert gas between the two electrodes." However, Amano et al. uses completely different structural elements to control the discharge voltage. Particularly, Amano et al. provides a varistor structure to control the discharge voltage.

Since Amano et al. already provides structure to control the discharge voltage, i.e., the varistor structure, Applicants respectfully submit that one of ordinary skill in the art would not have been motivated to include the discharge hole of Kazuyoshi in the

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surge absorber of Amano et al. More particularly, there would have been absolutely no reason to include the discharge hole of Kazuyoshi in the device of Amano et al. because the device of Amano et al. already includes structure that provides the same function as the discharge hole of Kazuyoshi.

Accordingly, Applicants respectfully submit that Amano et al. and Kazuyoshi, applied alone or in combination, fail to teach or suggest the unique combination and arrangement of elements recited in Applicants' Claims 1, 3, 5, 7, 9, 11 and 13.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of Claims 1, 3, 5, 7, 9, 11 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Amano et al. in view of Kazuyoshi.

In view of the foregoing amendments and remarks, Applicants respectfully submit that Claims 1, 3, 5, 7, 9, 11 and 13 are allowable. Claims 2, 4, 6, 8, 10, 12 and 14 depend upon Claims 1, 3, 5, 7, 9, 11 and 13, and are therefore allowable for at least the reasons that Claims 1, 3, 5, 7, 9, 11 and 13 are allowable.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

To the extent necessary, Applicants petition the Commissioner for a Two-Month Extension of Time, extending to May 1, 2006, the period for response to the Office Action dated December 1, 2005.

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The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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